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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/415,852	10/08/1999	JEFFREY S. GILCHRIST	0500.9909081	5384
23418	7590	12/09/2004	EXAMINER	
VEDDER PRICE KAUFMAN & KAMMHOLZ 222 N. LASALLE STREET CHICAGO, IL 60601			BROWN, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/415,852

Applicant(s)

GILCHRIST, JEFFREY S.

Examiner

Christopher J Brown

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 7/26/2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,7-16,18-30,32-39,41,42 and 44-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-45 is/are allowed.
- 6) ☒ Claim(s) 46-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's arguments filed 7/26/2004 have been fully considered but they are not persuasive.

The applicant has stated that the statement "prior to accepting the password" was inserted into claim 46 to make the claim allowable. This does not appear to be the case. Claim 46 is rejected under the reasons stated in the prior action. If the applicant inserts said statement, claim 46 should be in condition for allowance.

As written in the applicant's instant specification, page 4 lines 20-25 the "dynamic password entry interface legitimacy information" is a moving 3d image presented during the prompting for a password. Murray teaches that the images put forth by Jalili during the prompting for a password may be moving (animated) and 3d.

The references of Murray and Jalili are of analogous arts in that both aim to convey information to the user in interactive graphical environments to improve cognitive processing and recall, (Col 3 lines 1-32). Murray includes icons, animated images, and 2d and 3d images in this process. Jalili teaches conveying specific information about a password in an interactive graphical environment. Therefore it would have been obvious to one of ordinary skill in the art to combine the animated or 3d images of Murray with the password icons of Jalili.

**Claims 47 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jalili US 6,209,104 in view of Murray US 6,061,659.**

2. As per claim 47, Jalili discloses prompting for a password (selecting various icons for a password), Col 3 lines 45-47. Jalili discloses outputting password entry interface legitimacy information (icons, images) in connection with prompting for a password, Col 3 lines 30-35). Jalili discloses storing (file or database) a plurality of selectable images as the dynamic password entry interface legitimacy information, (Col 3 lines 40-47, Col 8 lines 30-33). Jalili discloses selecting, in response to user input (username) at least one of the plurality of stored selectable images for output on a display device during prompting for password entry, (Col 3 lines 25-35).

Jalili does not disclose that the images or icons are animated.

Murray discloses that messages may take a myriad of forms, such as static, animated icons, and 3d images (Col 8 lines 25-29). It would be obvious to one skilled in the art to modify the access system of Jalili with the animated icon of Murray because the animation will maximize attention to the message, (Col 8 lines 42-45).

As per new claim 48, Jalili teaches that the selected images information translates into associated alphanumeric character information, (Col 3 lines 52-60). These characters are input while the dynamic password entry interface legitimacy information is displayed.

***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown  
11/17/04

  
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